



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB0013

Introduced 1/15/2015, by Sen. Julie A. Morrison

#### SYNOPSIS AS INTRODUCED:

225 ILCS 10/8  
225 ILCS 10/8.1

from Ch. 23, par. 2218  
from Ch. 23, par. 2218.1

Amends the Child Care Act of 1969. Requires the Illinois Department of Children and Family Services to revoke or refuse to renew the license of a child welfare agency, or refuse to issue a full license to the holder of a permit, if the licensee or permittee fails to report the suspected abuse or neglect of children within a facility. Removes a provision concerning the discretionary revocation of a license to a child welfare agency, refusal to renew the license of a child welfare agency, and refusal to issue a full license to the holder of a permit if the licensee or permittee fails to report suspected abuse or neglect of children within the facility.

LRB099 05164 HAF 25194 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Child Care Act of 1969 is amended by  
5 changing Sections 8 and 8.1 as follows:

6 (225 ILCS 10/8) (from Ch. 23, par. 2218)

7 Sec. 8. The Department may revoke or refuse to renew the  
8 license of any child care facility or child welfare agency or  
9 refuse to issue full license to the holder of a permit should  
10 the licensee or holder of a permit:

11 (1) fail to maintain standards prescribed and  
12 published by the Department;

13 (2) violate any of the provisions of the license  
14 issued;

15 (3) furnish or make any misleading or any false  
16 statement or report to the Department;

17 (4) refuse to submit to the Department any reports or  
18 refuse to make available to the Department any records  
19 required by the Department in making investigation of the  
20 facility for licensing purposes;

21 (5) fail or refuse to submit to an investigation by the  
22 Department;

23 (6) fail or refuse to admit authorized representatives

1 of the Department at any reasonable time for the purpose of  
2 investigation;

3 (7) fail to provide, maintain, equip and keep in safe  
4 and sanitary condition premises established or used for  
5 child care as required under standards prescribed by the  
6 Department, or as otherwise required by any law, regulation  
7 or ordinance applicable to the location of such facility;

8 (8) refuse to display its license or permit;

9 (9) be the subject of an indicated report under Section  
10 3 of the Abused and Neglected Child Reporting Act or fail  
11 to discharge or sever affiliation with the child care  
12 facility of an employee or volunteer at the facility with  
13 direct contact with children who is the subject of an  
14 indicated report under Section 3 of that Act;

15 (10) fail to comply with the provisions of Section 7.1;

16 (11) fail to exercise reasonable care in the hiring,  
17 training and supervision of facility personnel;

18 (12) (blank) ~~fail to report suspected abuse or neglect~~  
19 ~~of children within the facility, as required by the Abused~~  
20 ~~and Neglected Child Reporting Act;~~

21 (12.5) fail to comply with subsection (c-5) of Section  
22 7.4;

23 (13) fail to comply with Section 5.1 or 5.2 of this  
24 Act; or

25 (14) be identified in an investigation by the  
26 Department as an addict or alcoholic, as defined in the

1 Alcoholism and Other Drug Abuse and Dependency Act, or be a  
2 person whom the Department knows has abused alcohol or  
3 drugs, and has not successfully participated in treatment,  
4 self-help groups or other suitable activities, and the  
5 Department determines that because of such abuse the  
6 licensee, holder of the permit, or any other person  
7 directly responsible for the care and welfare of the  
8 children served, does not comply with standards relating to  
9 character, suitability or other qualifications established  
10 under Section 7 of this Act.

11 (Source: P.A. 94-586, eff. 8-15-05; 94-1010, eff. 10-1-06.)

12 (225 ILCS 10/8.1) (from Ch. 23, par. 2218.1)

13 Sec. 8.1. The Department shall revoke or refuse to renew  
14 the license of any child care facility or child welfare agency  
15 or refuse to issue a full license to the holder of a permit  
16 should the licensee or holder of a permit:

17 (1) fail to correct any condition which jeopardizes the  
18 health, safety, morals, or welfare of children served by the  
19 facility;

20 (2) fail to correct any condition or occurrence relating to  
21 the operation or maintenance of the facility comprising a  
22 violation under Section 8 of this Act; ~~or~~

23 (3) fail to maintain financial resources adequate for the  
24 satisfactory care of children served in regard to upkeep of  
25 premises, and provisions for personal care, medical services,

1 clothing, education and other essentials in the proper care,  
2 rearing and training of children; or -

3 (4) fail to report suspected abuse or neglect of children  
4 within the facility, as required by the Abused and Neglected  
5 Child Reporting Act.

6 (Source: P.A. 83-1362.)